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Docket No.: 110.01290102

BIFIDOBACTERIA AND SIDEROPHORES PRODUCED THEREBY AND METHODS OF USE

**Mail Stop PATENT APPLICATION**

P.O. Box 1450

Alexandria, VA 22313-1450

22386 U.S. PTO  
10/822533



041204

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

X UTILITY PATENT APPLICATION including:

X Specification (29 consecutively numbered pgs, including 58 claims on 6 consecutively numbered pgs and a 1 pg Abstract);

\_\_\_ Drawings (\_\_\_ Figures on \_\_\_ sheets);

X Copy of a signed Declaration (3 pgs).

X Application Data Sheet (2 pgs).

X An itemized return postcard.

\_\_\_\_ An Assignment of the invention to \_\_\_\_ and Recordation Form Cover Sheet.

\_\_\_\_ A certified copy of a \_\_\_\_ application, Serial No. \_\_\_\_, filed \_\_\_\_\_, the right of priority of which is claimed under 35 U.S.C. § 119.

Computer readable form of "Sequence Listing." Applicants state that the paper copy form of the "Sequence Listing" section of the present application, and the computer readable form submitted herewith, are the same.

X Other: Request for Filing a Divisional Patent Application Under Rule 1.53(b) (3 pgs); Preliminary Amendment (6 pgs.).

**X** A check in the amount of \$385.00 to pay the filing fee, which is calculated below:

**X Small Entity Status is entitled to be asserted in the above-identified application.**

APPLICATION FILING FEE					
1	Number of Pending Claims (1)	Claims Included in Basic Filing Fee (2)	Number of Extra Claims (1-2)	Cost per Extra Claim	Fee Required
Total Claims	18	20	0	x \$9 =	0
Independent Claims	2	3	0	x \$43 =	0
One or More Multiple Dependent Claims Presented? If Yes, Enter \$145 Here →					0
Enter Basic Filing Fee (Utility Patent-\$385) Here →					\$385.00
<b>Total Application Filing Fee</b>					<b>\$385.00</b>

**Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.**

MUETING, RAASCH & GEBHARDT, P.A.

Customer Number: 26813

By: Don Proven

Name: David L. Provence

Reg. No. 43,022

Direct Dial: 612-305-1005

Facsimile: 612-305-1228

**CERTIFICATE UNDER 37 CFR §1.10:**

"Express Mail" mailing label number: EV 405458876 US

Date of Deposit: April 12, 2004

I hereby certify that the Transmittal Letter and the paper(s) and/or fee(s), as described hereinabove, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop PATENT APPLICATION, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Sue Dombroske  
Name: Sue Dombroske

(SMALL ENTITY TRANSMITTAL UNDER RULE 1.10)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket Number	Anticipated Classification		Prior Application	
110.01290102	Class	Subclass	Examiner: D.K. Ware	Art Unit: 1651

**REQUEST FOR FILING A DIVISIONAL PATENT APPLICATION  
UNDER RULE 1.53(b)**

Commissioner for Patents  
Mail Stop PATENT APPLICATION  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a divisional application under 37 CFR §1.53(b) of Serial No. 09/884,894, Confirmation No. 1710, filed on June 19, 2001, entitled BIFIDOBACTERIA AND SIDEROPHORES PRODUCED THEREBY AND METHODS OF USE, by the following inventor:

Name: Daniel J. O'Sullivan  
Address: 10040 32<sup>nd</sup> Avenue North, Plymouth, MN 55441  
Citizenship: Ireland

1. ☐ Enclosed is a copy of the specification (including claims and abstract) as filed in the prior application.
2. ☒ Enclosed is a new specification (including claims and abstract). The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference. No new matter has been added.
3. ☒ Enclosed is a copy of the Declaration filed in the prior application.
4. ☐ Enclosed is a newly executed Declaration and Power of Attorney.
5. ☐ Enclosed are formal drawings (☐ sheets).
6. ☒ Before calculating the filing fee, cancel in this application claims 1-40, as described in the attached Preliminary Amendment. (At least one independent claim must be retained for filing purposes.)
7. ☒ A preliminary amendment is enclosed.

Filed: Herewith

Title: *BIFIDOBACTERIA AND SIDEROPHORES PRODUCED THEREBY AND METHODS OF USE*

8. ☒ The filing fee is calculated below:

CLAIMS AS FILED			
NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$770/\$385
Total Claims 18-20 =	0	\$18/\$9	\$0
Independent Claims 2-3 =	0	\$86/\$43	\$0
MULTIPLE DEPENDENT CLAIM PRESENTED		\$290/\$145	\$0
FILING FEE:			\$385.00

9. ☒ A check in the amount of \$ 385.00 is attached.
10. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-4895.
11. ☐ This application is being filed by less than all of the inventors named in the prior application. Please delete the names of the following inventor(s) who are not inventors of the invention claimed in the present application:
12. ☐ Priority of foreign application Serial No. \_\_\_\_, filed on \_\_\_\_ in (country) \_\_\_\_ is claimed under 35 U.S.C. §119.
13. ☒ The prior application is assigned of record to Regents of the University of Minnesota.
14. ☒ The Power of Attorney in the prior application is to:
- David L. Provence  
Mueting, Raasch & Gebhardt, P.A.  
P.O. Box 581415  
Minneapolis, MN 55458-1415  
Customer Number 26813
15. ☒ Small Entity Status is entitled to be asserted in the above-identified application.
16. ☒ Application Data Sheet.

Filed: Herewith

Title: BIFIDOBACTERIA AND SIDEROPHORES PRODUCED THEREBY AND METHODS OF USE

**Address all future communications to:**

MUETING, RAASCH & GEBHARDT, P.A.  
P.O. Box 581415  
Minneapolis, Minnesota 55458-1415  
**Customer Number 26813**

Attn: David L. Provence  
(Telephone: 612-305-1005)  
(Facsimile: 612-305-1228)

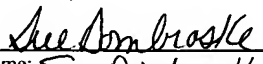
Date: April 12, 2004

  
\_\_\_\_\_  
David L. Provence  
Reg. No. 43,022  
Direct Dial (612)305-1005

"Express Mail" mailing label number EV 405458876 US

Date of Deposit April 12, 2004

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\_\_\_\_\_  
Name: Sue Dombroske